

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 29 1997

Returned to applicant for correction

Corrected application filed

Map filed SEP 10 1997

The applicant James R. Marsh hereby makes application for permission to change the point of diversion, manner of use and place of use of a portion of water heretofore appropriated under Permit 61205

1. The source of water is an underground source in Nye County, NV.
2. The amount of water to be changed 0.179 CFS, 50 AFA.
3. The water to be used for commercial purposes
4. The water heretofore permitted for irrigation and domestic
5. The water is to be diverted at the following point within Government Lot 7, in Section 2, T.18S., R.49E., M.D.B.&M., or at a point from which the closing corner of said Sections 2 and 3 bears N. 76° 09' 30" W., a distance of 1389 feet.
6. The existing permitted point of diversion is located within Government Lot 7 in Section 32, T.16S., R.49E., M.D.B.&M., at a point from which the East 1/4 corner of said Section 32 bears N. 42° 22' 25" E., a distance of 2087 feet.
7. Proposed place of use 28.76 acres within Government Lot 7, Sec.2, T.18S., R.49E., M.D.B.&M. 6.06 acres within the SE1/4 SW1/4 of Sec. 2, T.18S, R.49E., M.D.B.&M. 2.20 acres within Government Lot 1, Sec. 11, T.18S., R.49E., M.D.B.&M. 37.02 acres total, as shown on the accompanying map.
8. Existing place of use 17.2 acres within Government Lot 2 and 10.7 acres within Government Lot 7, all in Section 32, T.16S., R.49E., M.D.B.&M. 10 acres to be removed from existing place of use in Government Lot 2, Section 32 as shown on the accompanying map.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works Existing well, pump, and appurtenances
12. Estimated cost of works \$25,000.00
13. Estimated time required to construct works 2 years, well presently completed as noted in item 11, above.
14. Estimated time required to complete the application of water to beneficial use 5 years

63407

15. Remarks: This water is to be used at Longstreet Golf Course, Hotel and Casino, and related facilities.

By Gregory J. Walch, Esq.
s/ Gregory J. Walch Agent
3773 Howard Hughes Pkwy., #290N
Las Vegas, NV 89109

Compared gkl/cms dl/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 61205 is issued subject to the terms and conditions imposed in said Permit 61205 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 53181, 53182, 63407, and 63408 shall not exceed 160.0 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.179 cubic feet per second, but not to exceed 50.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 20, 2000

Proof of completion of work shall be filed before:

June 20, 2000

Application of water to beneficial use shall be filed on or before:

May 20, 2001

Proof of the application of water to beneficial use shall be filed on or before:

June 20, 2001

Map in support of proof of beneficial use shall be filed on or before:

June 20, 2001

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 19th day of August, A.D. 1998



State Engineer

by Hugh Ricci, Deputy State Engineer

Completion of work filed JUL 25 2000

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____